

022704

14230 U.S. PTO

IN THE UNITED STATES PATENT AND TRADEMARK

MAIL STOP: Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attorney's Docket No.: 39750-0008C1

17497 U.S. PTO  
10/788564

022704

CONTINUATION PATENT APPLICATION FILING TRANSMITTAL

Transmitted herewith for filing is the Patent Application of: **KENNETH BARR et al.**

For: **COMPOUNDS THAT MODULATE THE ACTIVITY OF PTP-1B AND TC-PTP**

ENCLOSURES

- ☒ 48 page application including specification, claims and abstract;
  - ☒ 10 sheets (Figs. 1 - 10) of ☐ informal/☒ formal drawings;
  - ☒ Copy of DEC/POA (☒ signed/☐ unsigned) from parent application;
  - ☒ A postcard for return to us as proof of receipt of the referenced documents.
- and**
- ☐ An Assignment of the invention with an assignment cover sheet;
  - ☐ Applicant claims small entity status (Under 37 CFR 1.27);
  - ☐ Associate Power of Attorney;
  - ☒ Preliminary Amendment;
  - ☐ \_\_\_\_\_ certified copies of the priority documents (Under 35 USC 119);
  - ☐ Associate Power of Attorney;
  - ☐ Other: Request and Certification Under 35 USC 122(b)(2)(B)(i).
  - ☒ Other: Statement under 37 C.F.R. § 1.821(e);
  - ☒ Other: 7 pages of Sequence Listing (☐ with diskette/☒ without diskette).

TYPE OF FILING

- ☒ This application is a continuation and claims the benefit under 35 U.S.C. § 120 of earlier filed U.S. Patent Application, Serial No. 10/374,539, filed on February 25, 2003, which claims the benefit under 35 USC § 119 of U.S. Provisional Patent Application Serial No. 60/361,475, filed on March 1, 2002.
- ☐ This application claims the benefit of the priority date of an earlier filed U.S. Provisional Patent Application Serial \_\_\_\_\_, filed \_\_\_\_\_ (35 USC 119).
- ☐ This is an application filed pursuant to 37 CFR 1.53, permitting receipt of a filing date upon filing of specification, claims and drawings, if required, with applicant being given a period of one month from the date of notice to file the fee and oath or declaration.
- ☒ In the event any parts of this application are missing, please treat this as a filing under 37 CFR 1.53 as defined just above.

CERTIFICATE OF MAILING (37 CFR 1.10(A))

CERTIFICATE OF MAILING BY "EXPRESS MAIL" - Rule 10: I hereby certify that this correspondence is being deposited with the U. S. Postal Service "Express Mail Post Office to Addressee" under 37 CFR 1.10 as Express Mail No. EL 977673918/US addressed to Mail Stop: Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 27, 2004 by Jan Huss.

Date: February 27, 2004

Jan Huss

## FEE CALCULATION

The filing fee has been calculated as shown below:

				SMALL ENTITY	OR	OTHER THAN A SMALL ENTITY	
BASIC FEE Design Patent				\$170	\$0	\$340	\$0
BASIC FEE Utility Patent				\$385	\$385	\$770	\$0
EXTRA FEES				RATE	\$0	RATE	FEE
Total claims	38	minus 20 =	18	x9 =	\$162	x18 =	\$
Independent Claims	6	minus 3 =	3	x43 =	\$129	x86 =	\$
<input type="checkbox"/> Multiple Dep. Claim				+145 =	\$0	+290 =	\$0
<input type="checkbox"/> Assignment				+40 =	\$0	+40 =	\$0
<input type="checkbox"/> Rule 53 Surcharge				+65 =	\$0	+130 =	\$0
<b>TOTAL</b>					\$676		\$0

### FEE PAYMENT

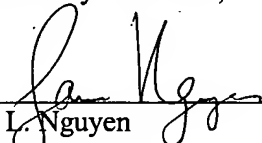
- ☐ Attached is Check No. \_\_\_\_\_ in the sum of \$\_\_\_\_\_.<sup>00</sup> for the cost of \_\_\_\_\_.
- ☒ Please charge Account No. 08-1641 the sum of **\$676.00**

### FEE DEFICIENCY

- ☒ Please charge Account No. 08-1641 in the sum of **\$676.00** referencing 39750-0008C1
- ☒ The Commissioner is authorized to charge (or credit any overpayment) to deposit account No. 08-1641:
- ☐ Any additional filing fees required under 37 CFR 1.16, except Rule 53 filings, which will be paid within the time permitted by PTOL 1533.
- ☐ Assignment Recordal fees.
- ☒ The filing fee and surcharge under 37 CFR 1.16, patent application processing fees under 37 CFR 1.17 and patent issue fees under 37 CFR 1.18 are intended to be paid by our firm as they arise. As no abandonment is intended by any inadvertent nonpayment of fees, the Commissioner is hereby authorized to charge payment of such fees as from time to time come due, if not paid prior to due date to our Deposit Account No. 08-1641.

Dated: February 27, 2004

Respectfully submitted,

  
 \_\_\_\_\_  
 Sam L. Nguyen  
 Reg. No: 52,496

**HELLER EHRMAN WHITE & MC AULIFFE, LLP**

**Customer No. 25213**

275 Middlefield Road

Menlo Park, CA 94025

Telephone: (650) 324-7000

Facsimile: (650) 324-0638